

**MEETING MINUTES**  
**STATE CONSUMER AND FAMILY ADVISORY COMMITTEE**  
**July 13, 2006**

**Present:** Jere Annis, Carl Britton-Watkins, Terry Burgess, Pat Coleman, Zack Commander, Bill Cook, Carol DeBerry, Matthew Elliott, Ron Kendrick, Andrea Stevens, Beverly Stone, David Taylor, Amelia Thorpe, Colleen Vaughan and Sheila Wall-Hill.

**Absent:** Dorothy O'Neal, Kathy Daughtry and Marian Spencer.

**DMH/DD/SAS Staff Present:** Rebecca Carina, Cathy Kocian, Lisa Lee, Chris Phillips, Ann Remington, Carol Robertson, Jesse Sowa and Leza Wainwright.

**Guests:** Ellen Boahn, Kent Earnhardt, Carolyn Privott and Judy Taylor.

**1. Welcome and Introductions**

- ◆ The meeting was called to order at 9:30 A.M.
- ◆ The Chair opened the meeting and welcomed the attendees.

**2. Approval of Agenda and Minutes**

- ◆ The meeting agenda was approved with changes.
- ◆ The June 2006 meeting minutes were approved as written.

**3. External Advisory Committee**

- ◆ Due to changes in the SCFAC membership, Bev Stone agreed to attend the External Advisory committee meeting scheduled today with Ron Kendrick.

**4. Conflict of Interest**

- ◆ The SCFAC decided that the committee had adequately reviewed the conflict of interest guidelines at the June 2006 SCFAC meeting.

**5. SCFAC Internal Issues**

- ◆ The SCFAC went into closed session to discuss internal problems within the committee. The Chair acknowledged the group's decision and set a ten minute time-limit to address issues.

**6. SCFAC Meeting Location**

- ◆ The committee discussed meeting locations for the 2007 calendar year. SCFAC members suggested the possibility of using one of the following locations: DD Council conference room, Holiday Inn North meeting rooms or another conference room on the Dix Campus.

**7. Public Comment Time**

- ◆ Judy and David Taylor attended a conference recently on Long-term Supported Employment. One of the issues discussed at the conference included the availability of funding for consumers from the LMEs for this service. In addition, there is a housing initiative for low income people and additional information can be found at the NC Housing Finance Agency website [www.nchfa.com/Homebuyers/Rrenters.aspx](http://www.nchfa.com/Homebuyers/Rrenters.aspx).
- ◆ Kent Earnhardt asked to receive the SCFAC agenda in advance prior to the monthly scheduled meetings.

## **8. NC Medicaid Appeal Process**

- ◆ Carol Robertson, Section Chief of Behavioral Health, works within the DMA Clinical Policy and Programs Section. Carol presented information regarding DMA and their role in policy development which includes the Service Definitions. The DMA administers Medicaid and Health Choice (services for children). Medicaid is a health insurance program for certain low-income and needy people paid with federal, state and county dollars. It covers more than 1 million people in our state, including children, the aged, blind and/or disabled and people who are eligible to receive federally assisted income maintenance payments.
- ◆ Appeal rights must be given whenever a service is reduced, suspended, terminated or denied by DMA or an agent acting on behalf of DMA (i.e. Value Options). Requests for informal appeals must be filed with the DHHS Hearing Office within 11 calendar days of receipt of the denial. If the consumer misses the 11-day time line and still wants to appeal to an Administrative Law Judge, they may do so within 60 days of receipt of the denial letter.
- ◆ The appeal request form is attached to the denial letter sent to the consumer. Only the consumer can appeal. However, the consumer may ask anyone to assist them in the appeal process including providers, family members or attorneys. If an appeal request is received by the DHHS hearing office, an informal hearing will be scheduled and conducted either in person or by telephone. The consumer has the opportunity to present their case justifying why they disagree with the decision. Upon completion of the hearing, the DHHS Hearing office has ten days to make a decision on the case. The decision will be sent to the consumer in writing.
- ◆ If the consumer chooses to appeal the decision received, they may do so by filing an appeal to the Office of Administrative Hearings within 60 day time frame. Once the request is received, a hearing will be scheduled with an administrative law judge. Consumers may or may not use an attorney. In this process, witnesses will be sworn in and a judge will preside.
- ◆ SCFAC members held a general discussion on the Medicaid Appeal process. Carol Robertson said that there is no incentive given for the number of denials made by Value Options nor is there a bonus for denials at the end of the year. Value Options staff must be licensed to work in N.C. The offices handling North Carolina service authorization activities are all located in North Carolina. CMS requires statewide consistency as it relates to Medicaid Utilization Review. At the expiration of the Value Option 3 year contract, the contract may be renewed or put out for bid utilizing the RFP process.
- ◆ Additional DMA information can be found on their website [www.dhhs.state.nc.us/dma](http://www.dhhs.state.nc.us/dma).

## **9. Introduction of New SCFAC Members**

- ◆ New SCFAC members Pat Coleman, Carol De Berry, Colleen Vaughan and Sheila Wall-Hill were congratulated on their recent appointment to the SCFAC. Marian Spencer and Kathy Daughtry will be joining the committee in August.

#### **10. SCFAC Priorities**

- ◆ The SCFAC developed a list of priorities that the group will review. Discussion included the development of sub-committees that will follow through with research, data collection and finalized reports.
- ◆ Mike Moseley sent a written thank you letter to the SCFAC for their recent recommendations and work done on evidenced-based best practices and fidelity scale information. In addition, an offer was made to SCFAC members to have Division staff attend a future SCFAC meeting and provide the committee with an update on the Division's evidence-based practice implementation activities. The members agreed to consider this.

#### **11. SCFAC Newsletter**

- ◆ The members of this committee are Bev Stone, Pat Coleman, David Taylor and Matthew Elliott. The chair of this sub-committee is Bev Stone. The committee members agreed to develop a standardized format for the newsletter and submit it to the SCFAC Chair. The committee will identify the purpose and types of articles to include in the upcoming newsletter.

#### **12. Public Comment**

- ◆ Jere Annis commented on the need for one SCFAC member to attend the quarterly Mental Health Commission meetings.
- ◆ Andrea Stevens has accepted part-time employment with Residential Support Services as a Support Broker. The position supports consumers and teaches them how to direct their own services.
- ◆ Kent Earnhardt commented on the new DMA Medicaid Appeal process and the need for support people to assist consumers with the process.

#### **13. Division Update**

- ◆ Leza Wainwright, Deputy Director of the Division of MH/DD/SAS provided the SCFAC with a handout that summarized HB 2077 and SB 1741. Leza informed the Committee that this was the largest amount of money allocated by the General Assembly to MH/DD/SAS in her memory. Leza gave an overview description of the items contained in the bills
- ◆ Leza stated that it remains the Division's goal to have people receive services in their local communities whenever possible. She said further that it is important to have the appropriate facilities available, when necessary, for inpatient care.
- ◆ Local CFACs are now in statute. According to the statute, each CFAC shall adopt by-laws to govern the selection and appointment of its members, their terms of service, the number of members and other procedural matters. At the request of either the CFAC or the governing board of the area authority or county program, the CFAC and the governing board shall execute an agreement that identifies the roles and responsibilities of each party, the channels of communication between the parties and a process for resolving disputes between the parties.
- ◆ The SCFAC is also in statute. The statute reflects that the State CFAC shall be composed of twenty-one members and that the members shall be composed exclusively of adult consumers and family members of consumers with mental health, developmental disabilities and substance abuse services. The terms of members shall be three years and no member may serve more than two consecutive terms. The Secretary of DHHS shall appoint nine members, and the President Pro

Approved

Tempore of the Senate, the Speaker of the House, the North Carolina Council of Community Programs and the NC Association of County Commissioners shall each appoint three members, one each from the three State Regions for institutional services (Eastern, Central and Western Region).

**14. State Plan 2006**

- ◆ Rebecca Carina, Planning Team Leader, provided information on the External Advisory Team that is presently reviewing the list of tasks from the 2001-2005 state plans. As a result of the current budget approval, the Division has been required to enlist the aid of a consultant to develop a three year strategic plan. Following an RFP process, the Division will hire a consultant to assist with the plan.

**15. Executive Leadership Team (ELT) Report**

- ◆ Bev Stone gave an overview of the June 27<sup>th</sup> ELT meeting she attended. Discussion included expenses related to the hiring of the Clinical Director and executive staff of the new hospital under construction in Butner which is scheduled to open due in 2007. In addition, ELT reviewed a proposal for changing the way the Domiciliary Care Home Incentive Fund is distributed. Finally, ELT discussed issues related to STR and Value Options issues for Medicaid consumers.

**16. SCFAC Annual Report 2005-2006**

- ◆ Committee members reviewed a copy of the State CFAC Annual Report developed by the Jere Annis, which had already been sent to the Secretary, Director and Deputy Director.

**17. Next Meeting**

- ◆ The next meeting is scheduled for August 10, 2006, from 9:30 A.M. – 3:30 P.M. and will be held at the Dorothea Dix Hospital Campus in the Royster Building in Room 116.

**18. July 2006 Meeting Agenda**

- ◆ Approval of the Agenda.
- ◆ Approval of the July meeting minutes.
- ◆ ELT Update.
- ◆ Division Update.
- ◆ Discussion of the September 2006 Meeting Agenda.

Approved